

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JASON BROWN,

Petitioner,

No. CIV S-05-0866 FCD EFB P

vs.

DIANA K. BUTLER, Warden,

Respondent.

ORDER

Petitioner sought a writ of habeas corpus from this court. *See* 28 U.S.C. § 2254. On October 4, 2006, respondent moved to dismiss on the ground that the petition contained both exhausted and unexhausted claims. The court determined that the petition was in fact mixed, and on July 7, 2007, gave petitioner time to request that this action be stayed and held in abeyance while he presented his unexhausted claims to the state courts. Petitioner failed to file such a request. Thus, on September 21, 2007, the court recommended that the motion to dismiss be granted and that this action be dismissed without prejudice. The district judge adopted the findings and recommendations on November 29, 2007, and the Clerk of the Court entered judgment. Notwithstanding that judgment closing this case, on January 16, 2008, petitioner filed a document styled, "Motion for Sanctions," in which he seeks an order granting his petition for a writ of habeas corpus based on the respondent's failure to justify his conviction. Also on

1 January 16, 2008, petitioner filed an amended petition for a writ of habeas corpus. There is no
2 basis either in the applicable rules or precedent for petitioner to have filed the documents he has
3 submitted after judgment has been entered.

4 Accordingly, petitioner's January 16, 2008, motion for sanctions is denied and the court
5 takes no action on the January 16, 2008, petition for a writ of habeas corpus.

6 The court notes that it will issue no response to future filings by petitioner in this action
7 not authorized by the Federal Rules of Civil Procedure or Federal Rules of Appellate Procedure.

8 So ordered.

9 Dated: March 13, 2008.

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EDMUND F. BRENNAN
11 UNITED STATES MAGISTRATE JUDGE
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